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United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
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Note verbale dated 27 June 2001 from the Permanent Mission of Sweden to the United Nations, on behalf of the European Union, addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting the annual report on the implementation of the EU Joint Action of 17 December 1998 on the European Union's contribution to combating the destabilizing accumulation and spread of small arms and light weapons (1999/34/CFSP) and the EU Programme on illicit trafficking in conventional arms of 1997

The Permanent Mission of Sweden to the United Nations presents its compliments to the Department for Disarmament Affairs of United Nations Secretariat and has the honour to transmit, on behalf of the European Union (EU), the annual report on the implementation of the EU Joint Action of 17 December 1998 on the European Union's contribution to combating the destabilizing accumulation and spread of small arms and light weapons (1999/34/CFSP) and the EU Programme on illicit trafficking in conventional arms of 1997 (see annex).

The Permanent Mission of Sweden to the United Nations requests the Secretariat to circulate this report to delegations of the United Nations as a document of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held from 9 to 20 July 2001.

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Annex

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Annual report on the implementation of the EU Joint Action of 17 December 1998 on the European Union's contribution to combating the destabilizing accumulation and spread of small arms and light weapons (1999/34/CFSP) and the EU Programme on illicit trafficking in conventional arms of June 1997

INTRODUCTION

On 26 June 1997, the EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms was adopted by the General Affairs Council of the European Union, and on 17 December 1998, the Council adopted a Joint Action on the European Union's contribution to combating the destabilising accumulation and uncontrolled spread of small arms and light weapons. Since then, the member States have gained considerable experience in addressing the scourge of small arms and light weapons through specific actions in various affected regions of the world.

In pursuing the objectives of the Joint Action, the EU has enhanced its efforts to build consensus in regional and international fora (e.g. the United Nations and the Organisation for Security and Co-operation in Europe) and among affected States. The EU has participated actively in the preparations for the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, 9-20 July 2001), as well as in the negotiations of the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition supplementing the United Nations Convention against Transnational Organised Crime, adopted by the UN General Assembly on 31 May 2001. The EU has also had many bilateral contacts in the framework of political dialogue.

This report is structured in three parts. Part I covers the national efforts to address the problems related to small arms in the member States, such as inter-agency co-operation, newly enacted legislation and support for relevant research. Part II deals with international measures, such as assistance to projects conducted by international or regional organisations, or non-governmental organisations, assistance to affected states, and organising international conferences. EU co-operation with other states is also included in Part II. Finally, in Part III the priorities for a more systematic approach to EU assistance in the field of small arms and light weapons (SALW) are discussed.

The scope of this report is, in principle, limited to the year 2000. However, since it is the first report under the Joint Action, it also contains some information on prior activities. As a background, the Joint Action and the Programme are summarised below.

The Associated Countries of Central and Eastern Europe and Cyprus and the EFTA Countries Members of the EEA have aligned themselves with this Programme and the Joint Action.

The Joint Action (1999/34/CFSP) on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons

The EU adopted a Joint Action (JA) on small arms on 17 December 1998. The JA proposes a series of objectives, principles and measures that apply to all countries. It also calls upon the EU to contribute to specific actions in support of the JA's objectives. The objectives include combating the destabilising accumulation and uncontrolled spread of small arms, contributing towards the reduction of existing accumulations to levels consistent with legitimate security needs, and helping to solve the problems caused by such accumulations.

In order to realise these objectives, the EU has pledged to work towards building consensus in the relevant international fora, for the realisation of a series of principles and measures aimed at preventing the further destabilising accumulation of small arms. These include:

- A commitment by all countries to import and hold arms only for their legitimate security needs, and by exporting countries to supply small arms only to governments, in accordance with appropriate international and regional restrictive arms export criteria, as provided in particular in the EU Code of Conduct on Arms Exports;
- The establishment and maintenance of national inventories of weapons owned by state authorities, and the establishment of restrictive national arms legislation for small arms;
- The establishment of confidence-building measures, including measures to promote increased transparency and openness. This could be achieved through regional registers on small arms, and regular exchanges of available information on exports, imports, production and holdings of small arms, and on national arms legislation;
- Combating illicit trafficking of small arms through the implementation of effective national controls of arms transfers;
- Challenging and reversing "cultures of violence" by enhancing public involvement through public education and awareness programmes.

Furthermore, the EU will aim at building consensus at regional and international levels for a series of measures aimed at reducing existing accumulations of small arms. Such measures could include:

- Assistance to countries seeking to control or eliminate surplus small arms on their territory;
- Promotion of confidence-building measures and incentives to encourage the voluntary surrender of surplus or illegally-held weapons, the disarmament and demobilisation of combatants and their subsequent rehabilitation and reintegration into civil society;
- The effective removal of surplus small arms to safe storage, as well as their quick and effective destruction, preferably under international supervision;
- The rendering of assistance through appropriate international organisations, programmes and agencies as well as regional arrangements.

In this respect, the EU has undertaken to provide financial and technical assistance to projects which make a direct contribution to the realisation of the above mentioned principles. These include

programmes and projects conducted by the UN, the International Committee of the Red Cross, other international organisations and regional arrangements, as well as NGOs. The projects might include, inter alia, weapons collection, security sector reform, and demobilisation and reintegration programmes, as well as specific victim assistance programmes.

The EU Programme for Preventing and Combating Illicit trafficking in Conventional Arms

The EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms was adopted by the General Affairs Council on 26 June 1997.

The Programme seeks to address the problems of illicit trafficking in conventional arms, particularly small arms, both within the EU and in countries affected by illicit trafficking in small arms. The programme consists of three main parts. The first part suggests the fostering of enhanced law enforcement co-operation and improving information exchange on illicit trafficking. The second part encourages the EU and its member States to assist other countries in preventing and combating illicit trafficking of arms, e.g. by strengthening laws and administrative measures for regulating and monitoring the transfers of arms, and providing an adequate number of appropriately trained police and customs officials for the enforcement of national arms export control legislation. The third part of the programme outlines ways for the EU and its member States to assist affected countries, especially in post conflict situations, in suppressing the illicit circulation and trafficking of arms, e.g. by setting up weapons collections, buy-back and destruction programmes, and setting up educational programmes to promote awareness among the local population of the negative consequences of illicit trafficking in small arms.

A first annual report on the Programme was published on 8 July 1998, and a second on 19 January 2000. The reporting procedure under the Programme is now co-ordinated with that of the Joint Action. Thus, the present report covers the Programme as well as the Joint Action.

PART I NATIONAL EFFORTS TO ADDRESS SMALL ARMS RELATED PROBLEMS

I.A Co-operation, co-ordination and exchange of information between administrative and law enforcement agencies etc

As regards co-operation, co-ordination and exchange of information between administrative and law enforcement agencies, and other similar measures, the member States have provided the following information.

In **Ireland**, the police service co-operates with the Irish Customs and Excise Authorities and the Irish Armed Forces in their efforts to enforce firearms legislation. Forensic testing and tracing of all seized firearms is carried out centrally by Garda Headquarters.

In **Sweden**, police authorities co-operate with the Customs Authority, the National Inspectorate of Strategic Products, and the Swedish Armed Forces in addressing the problems of illicit arms trafficking and the presence of illegal arms. In the normal process of investigating arms violations, authorities assist each other as a matter of routine. The National Laboratory of Forensics maintains a Weapons Reference Library, and also a library with firing test data relating to seized weapons. Sweden is, together with **Denmark** and Norway, developing a Nordic Weapons Trace Database.

In **Italy,** an Ad Hoc Group on Small Arms and Light Weapons, co-ordinated by the Ministry of Foreign Affairs, was established in June 2000. This Group includes representatives of all relevant Ministries and law enforcement agencies, as well as a representative of the National Industrial Association of Arms Producers. A useful dialogue on SALW has also been initiated by the Ministry of Foreign Affairs with some Italian NGOs. The Ministry is, furthermore, supporting a study on the Italian production and export of SALW, to be completed by the beginning of the UN Conference on small arms.

In **Spain**, law enforcement agencies organise yearly courses on weapons and explosives and their criminal use, a well as seminars to share and update information on this issue, and information on technology applied to weapons and explosives. A new computer based system, shared by the different law enforcement agencies and designed to identify weapons suspected of being linked to crimes, became operative in early 2000.

In the **United Kingdom**, an inter-departmental Small Arms Policy Committee was established in 1997 under the chairmanship of the Foreign and Commonwealth Office. The Committee meets quarterly to monitor and coordinate policy developments on SALW issues. There is also ongoing and regular dialogue with interested NGOs on the subject.

I.B Newly enacted legislation, reviews of the practical function of existing legislation

As regards newly enacted legislation and reviews of the practical function of existing legislation, the member States have provided the following information.

In **France**, an effort to reform the law applicable to brokers and other intermediaries engaged in commercial arms and war-related materiel transactions is underway. A bill has just been approved by the Prime Minister and will be adopted in the coming months. The new legislation requires brokers to submit their activities to prior authorisation and obliges them to keep a special register containing details of their transactions. Brokers will also be subjected to periodic control by the authorities. This regime applies not only to brokers, but also to intermediaries, and goes beyond small arms and light weapons, as it concerns all arms and war-related materiel subject to national regulation.

In **Ireland**, exports of SALW are controlled under the Control of Exports Act (1983). The Control of Exports Order provides a schedule of goods that may not be exported without a licence issued at the discretion of the Minister for Enterprise, Trade and Employment. A Revised Control of Exports Order was issued in 2000 to further streamline Irish licensing requirements for exports of all items on the military list. The possession, use and carriage of firearms are regulated in Ireland by legislation contained in various Firearms Acts. Regulations with respect to the safe storage of licensed firearms are currently being reviewed.

In **Belgium**, the Minister of Justice, in 2000, elaborated a Security Plan that deals, inter alia, with small arms. A new law that will substantially modify existing legislation is scheduled to be submitted to Parliament.

In **Sweden**, possession, trade and importation of firearms are regulated by the Firearms Act and the Military Equipment Act. Certain amendments in order to further prevent firearms from being used in criminal activities, and other abuse of such weapons, were made to the firearms legislation in 2000. The new legislation stipulates, inter alia, that local police authorities are required to inspect that the provisions concerning the safe storage of firearms are adhered to. Arms dealers are not allowed to have automatic firearms in stock. An automatic firearm can only be ordered when the dealer has a licensed buyer for it. Authorisation to possess handguns and automatic firearms is limited in time to up to five years. Private citizens may hand in unlicensed firearms to police authorities, whereupon possible charges for illegal possession may be dropped.

In December 2000, the **United Kingdom** announced that it would soon publish draft legislation (the Export Control and Non-Proliferation Bill) that would, *inter alia, introduce powers to license* brokering transactions. The Bill was subsequently published in March 2001. In July 2000, the UK published its third Annual Report on Strategic Export Controls, covering calendar year 1999. This saw a new level of transparency in a Report that will become ever more specific and detailed in the future.

In **Italy,** the issue of SALW has been discussed in the Parliament, where the Committee for Foreign Affairs of the Chamber of Deputies in October approved a Resolution obliging the Government "...to take a strong stand, in all competent international fora, in support of the fight against the uncontrolled spread of small arms and light weapons..." and "...to strengthen, also at national level, the measures intended to intensify or better co-ordinate the efforts to fight against the trade of SALW...".

In April 2000, Italy published its tenth Annual Report on import, export and transit of defence equipment (both authorisations and deliveries) in accordance with Act number 185/1990. The Report, which is addressed to the Parliament but is also made available to the public, provides a large amount of information by the six ministries involved in the system of scrutiny of defence equipment exchanges.

In **Germany**, a motion to change the Weapons Act, which mainly relates to the possession and use

of weapons inside Germany, has been drafted. The draft is still under discussion. In January 2000, the Federal Government adopted amendments to the "Political Principles for the Export of War Weapons and other Military Equipment". These Political Principles are applicable to the export of all small arms and light weapons. The main amendment consists of a stronger emphasis on the human rights situation in the recipient country, which has to be taken into account when making any export decision. In addition, the importance of securing the end-use of the exported weapons was highlighted. Finally, it was stressed that the EU Code of Conduct forms an integral part of the Political Principles.

In the **Netherlands**, the maximum penalty for illegal possession of, and trade in small arms was increased in 2000. The Parliamentary Assembly further agreed to draft legislation on the transit of military items. This law is likely to enter into force during 2001.

In **Luxembourg**, existing legislation relating to small arms is currently under review.

I.C Other initiatives or activities, e.g. support for relevant research

The member States have also reported on other initiatives and activities to combat the accumulation and uncontrolled spread, and to prevent illicit trafficking, of small arms, such as support for research projects.

In **France**, the publication of the following two documents represents an effort to achieve greater transparency, aiming to reach a large public.

(a) The Defence Minister's Report to Parliament on French exports of military related materials in 1999. This report sets out to Parliament, and, more generally, to the public, the position of France, and her actions on the international level regarding the fight against the proliferation and uncontrolled circulation of small arms and light weapons. The report makes a substantive attempt to increase transparency by indicating, by country of origin, the number of prior exports authorisations, by categories defined by the Joint Action of the European Union. Notably, it provides information concerning remunerated and non-remunerated transfers that

were effected in 1999 by the Ministry of Defence, particularly with regard to small arms and light weapons. It should also be noted that the separation between the function of export promotion and that of control has been reinforced.

The report is available on the internet, at http://www.defense.gouv.fr, under the heading "actualité", and "tous les dossiers en ligne".

(b) The brochure "Arms control, disarmament and non-proliferation: French Policy" published in 2000, available in French and in English, deals with the issue of SALW. Extensively distributed, it contributes to making French action in this area available to a wide audience.

Sweden has supported the following projects at the Stockholm International Peace Research Institute (SIPRI):

- "Military Expenditure Data for African Countries", SKr 1 million;
- "Conflicts and Small Arms Transfers", SKr 480,000. This project is in co-operation with the Swiss-based "Small Arms Survey";
- "Internet Database on European Conventional Arms Export Controls", SKr 1.5 million. The purpose of the project is information and verification of the EU Code of Conduct on Arms Exports, with a focus on East and Central Europe;
- "Conflict Prevention, Management and Resolution in Africa", SKr 500,000. This is a part of the SIPRI "Conflict Prevention and Armed Responses" research programme.

In the **Netherlands**, an exhibition on SALW was organised at the Ministry of Foreign Affairs in The Hague, in January 2000. From 1-12 November 2000, the Ministry of Justice organised a campaign to collect illegal firearms amongst civilians, through exemption from the usual penalty. The collected firearms will be destroyed. Some have already been destroyed symbolically - they were crushed with a road roller.

In **Denmark**, the defence authorities have destroyed 30,300 machineguns and 14,400 rifles between 1989 and 2000,as a follow-up to the UN General Assembly resolution "Illicit traffic in small arms".

In December 2000, the **United Kingdom** mounted a "Focus International" paper on SALW on the Foreign and Commonwealth Office website, setting out UK involvement in the SALW debate.

PART II EFFORTS AT THE INTERNATIONAL LEVEL TO ADDRESS SMALL ARMS RELATED PROBLEMS

In the international field, actions are taken by both the EU and the individual Member States. The following information has been provided.

II.A EU action

The EU is active both as regards assistance to and co-operation with states and international and regional organisations.

II.A.1 *Projects supported by the EU*

The European Union has taken the following actions as regards technical, financial and other assistance given to projects conducted by the UN, the ICRC, other international organisations and regional arrangements, and NGOs, as well as to other states, especially those in affected regions:

On 10 May 1999, the Council adopted an implementing Decision (1999/320/CFSP)[1] of the Joint Action on a European Union contribution to the collection and destruction of weapons in *Albania*. This decision aimed at contributing to promoting the collection and destruction of weapons in the Gramsh district in Albania. The EU contribution of EUR 500.000 was allocated to the disarmament component of the UN DDA and UNDP pilot project. Furthermore, the Council amended the Decision on 17 December 1999 (1999/846/CFSP)[2] in order to extend the project to Elbasan and Peskopja districts of Albania. On 5 April 2000, the UNDP informed the EU Commission that it was unable to fulfil the terms of a draft contract proposed by the Commission in accordance with the implementing Decision. For this reason the Council decided to repeal the two decisions on 20 November 2000 [3].

[1] OJ L 123 of 13.5.1999, p. 12
[2] OJ L 326 of 18.12.1999, p. 74
[3] OJ L 292 of 20.11.2000, p. 2

On 17 December 1999, the Council adopted an implementing Decision (1999/845/CFSP)[4] of the Joint Action, with a view to an EU contribution to combating the destabilising accumulation and uncontrolled spread of SALW in *Mozambique*. With this Decision, the EU contributed to the location, collection and destruction of weapons in Mozambique through the joint cross border operations between the South African Police and the Mozambique Police (Operation Rachel). The EU provided EUR 200,000 for the support of the South African Police Service, which was acting as an implementing agency, in the acquisition of fuel, air support, explosives and accessories as well as ration packs and daily allowances. The project will be successfully completed during the first half of 2001.

On 15 November 1999, the Council adopted the Decision 1999/730/CFSP implementing the Joint Action, with a view to an EU contribution to combating the destabilising accumulation and uncontrolled spread of small arms and light weapons in *Cambodia*[5]. With this decision, the EU contributed EUR 500,000 to promoting control, collection and destruction of weapons in Cambodia. A Project Manager, H.J. van der Graaf, was appointed to carry out the project. He has been based in Phnom Penh. The Decision expired on 15 November 2000, but the Council decided to extend the mandate of the project manager and adopted a new Decision 2000/724/CFSP[6] on 20 November 2000. This Decision will provide a further EUR 1,300,000 to the project, which is conducted in close co-operation with the government of Cambodia.

On 14 December 2000, the Council adopted an EU contribution of EUR 90,000 to the local police forces in *South Ossetia*, for a programme aiming at granting them equipment for the collection and destruction of SALW. This contribution is meant to influence public opinion in favour of civil disarmament, to consolidate and develop participation of civil society in the process of arms collection and destruction and to create a climate of security and reconciliation among populations.

On 12 March 2001, the Council adopted an EU contribution to combating the small arms problem

[4] OJ L 326 of 18.12.1999, p. 73
[5] OJ L 294 of 16.11.1999, p. 5
[6] OJ L 292 of 21.11.2000, p. 3

in Latin America and the Caribbean, through the projects of the *United Nations Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean*, located in Lima (Peru). This contribution seeks to help the Centre in its training activities for customs and police officials, by means of appropriate instruction and in its project of making available equipment that permits the creation of databases on the accumulation of SALW in this region. The EU contribution amounts to EUR 345,000.

II.A.2 EU co-operation with other states

At the EU-U.S. Summit of 17 December 1999, it was decided to establish a Working Group on SALW for regular exchanges at the expert level with a view to increasing co-operation and information sharing and evaluate progress achieved by the EU and the U.S. on small arms issues. The Group meets at least once during each EU Presidency. At its meetings, in December 2000 and June 2001 it has been focusing on the UN 2001 Conference. As part of the preparations for that Conference, the EU Troika has had a number of informal meetings with the U.S.

Following the EU-Canada Summit Declaration on the Establishment of a Joint Working Group on Small Arms of 16 December 1999, the Working Group has met every six months, lately focusing, inter alia, on the preparations for the UN 2001 Conference. The Working Group met in December 2000 and May 2001. Informal meetings with Canada have also been held. An EU-Canada Workshop entitled "Small Arms and Light Weapons Destruction in the Context of Peace Support Operations" was held in Ottawa 15-16 May 2001.

In 1998, the EU and the Southern African Development Community (SADC) adopted the regional Action Programme on Light Arms and Illicit Trafficking, providing a framework for action as regards, inter alia, illicit trafficking, strengthening of legal controls of arms transfers, removal of arms from society and enhancing transparency. In 1999, an EU-SADC Working Group on small arms was established, which met for the first time in June 2000. During its second meeting in April 2001, the Working Group discussed areas of concrete co-operation and the preparations for the UN 2001 Conference.

In the margin of the Multi-Disciplinary Group (MDG), meetings have been held between the EU member States and a number of the G-8 countries, as well as Mexico, as part of the preparations for the negotiations on the UN Firearms Protocol.

II.A.3 Internal EU co-operation

Within the framework of the Third Pillar Police Co-operation Working Group (PCWG) operational project against illicit arms trafficking, "Project Arrow", member States' police authorities and customs services are co-operating. The purpose is to achieve the objective of a joint EU strategic summary review and analysis of illicit trafficking in arms. "Project Arrow" which is co-ordinated by Finland, was implemented as a joint operation against illicit arms trafficking, and was realised in the form of a joint European action on 13-26 November 2000.

II.B Member State action

The EU member States are providing financial, technical and other forms of assistance to projects run by the UN, by other international or regional organisations, and by NGOs. In addition, the member States are supporting affected states directly.

II.B.1 Member State support to UN projects

The member States have provided support to the following projects under the auspices of the UN.

France has implemented measures of financial assistance of FrF 3 million for PCASED (the Programme for Co-ordination and Assistance for Security and Development, implemented by the UNDP), and FrF 2.5 million, over five years, for the United Nations Regional Centre in Lomé.

Sweden has made the following contributions to UN projects related to SALW:

- SKr 350,000 for the completion of the UN Lessons-Learned Unit "Monitoring the Implementation of the Principles and Guidelines on Disarmament, Demobilisation and Reintegration of Ex-Combatants" consultant project;

- US$ 5,000 to fund the printing of the "Disarmament, Demobilisation and Reintegration of Ex-Combatants in a Peacekeeping Environment" report by the UN Lessons-Learned Unit;
- US $ 15,000 to the UNIDIR "Peace Building and Practical Disarmament in West Africa" project, which is linked to PCASED;
- US$ 20,000 to the UN Regional Centre for Peace and Disarmament in Africa, based in Lomé, for the establishment of a clearing house for combating illicit trafficking in small arms;
- SKr 4 million to the UNDP "Arms for Development" project in Elbasanj, Albania;
- US$ 350,000 to the implementation of the ECOWAS Moratorium on the import, export and manufacture of small arms, through the UNDP Programme for Co-ordination and Assistance for Security and Development (PCASED). Support will continue during 2001 (the total Swedish contribution to PCASED amounts to US $ 1 million, which places Sweden among the top donors to the Programme).

Sweden is also contributing a Junior Professional Officer to the Lima based UN Regional Centre for Peace, Disarmament and Development in Latin America, and US $ 20,000 for training of Police and Customs personnel, and for the establishment of a Regional Clearing House for Firearms;

In addition, the Swedish National Defence College has, in co-operation with the UN Department for Peacekeeping Operations, contributed to international courses in "Disarmament, Demobilisation and Reintegration of Ex-Combatants (DD&R)" in Zimbabwe, Canada, Sweden and Ghana, using a curriculum put together by representatives from the Lester B. Pearson Peacekeeping Centre of Canada, the Norwegian Armed Forces International Centre, and the Swedish National Defence College. The first course in Sweden took place in September 2000, and drew around 20 international participants, who represented the military and various governmental and non-governmental organisations. The objective of the course was to give a comprehensive view of peace support missions in order to increase the understanding of activities and programs needed for peaceful development, as well as to share experiences from the field. A second course was given in June 2001. The Swedish Government has awarded SKr 850,000 in support of this project.

Belgium has supported a UNIDIR-project on the role of civil society in control of small arms in Western Africa.

Germany has supported the following UN projects with regard to "Disarmament, Demobilisation and Reintegration of Ex-Combatants (DD&R)":

- UNICEF project in Sierra Leone for the reintegration of children: DM 890,000;
- UN Mission in the Central African Republic (MINURCA) demobilisation and reintegration programme in the Central African Republic: USD 330,000;
- UN Department for Disarmament Affairs (UN DDA) fact-finding mission in Niger for a "Weapons in exchange for development"-project: USD 61,000;
- UN Regional Centre for Peace and Disarmament in Africa (Lomé) Programme for peace and disarmament in Africa: USD 49,000.

The **Netherlands** contributed NLG 50,000 to the UN Regional Centre in Lima for a project in Latin America and the Caribbean to train police and customs personnel.

Denmark has provided US$ 5,000 to UN DDA for the preparation and printing of "Practical Disarmament Measures. A Reference Paper". This reference tool describes the origins, the mandate and the evolution of the practical disarmament measures approach to addressing specific situations, puts forward a set of considerations for evaluating project proposals, and sets up a sample design for formulating project proposals

Finland has contributed EUR 12,500 to UNIDIR for a small arms trafficking project and EUR 8,350 to the United Nations Disarmament Information Programme for a project on small arms information.

The **United Kingdom** has so far provided £ 1,365,000 for the UN weapons collection programme in Albania, which includes £ 610,000 through the United Nations Development Programme for its pioneering project Weapons in Exchange for Development. The United Kingdom, further, has provided £ 300,000 to the Programme for Co-ordination and Assistance for Security and Development (PCASED), which seeks to implement the ECOWAS Moratorium and to facilitate the adoption of other measures in other regions in Africa.

II.B.2 Member State support to projects under the auspices of other international organisations, and of NGOs

As regards support to projects under the auspices of international organisations other than the UN, regional arrangements and NGOs, the member States have provided the following information.

France supports the Moratorium on the Importation, Exportation and Manufacture of Small Arms and Light Weapons in West Africa, adopted by the Heads of State and Government of ECOWAS. Furthermore, France has provided financial support of FrF 330,000 to the National Conference of Mali regarding small arms and light weapons, which took place in November 2000. French action with regard to the fight against illicit trafficking in small arms is essentially centred on bilateral co-operation. A number of efforts have been undertaken to support several African States to reinforce the operational capabilities of police and customs services within the framework of the fight against major trans-border trafficking, in which illicit arms trafficking is included (financial contribution of FrF 13 million).

France has also contributed financially and logistically to the "Seminar for the implementation and application of the regulation of the control of international movement of fire arms, their parts, components and ammunition", in Martinique, on 23-24 May 2000, organised by the Inter-American Drug Abuse Control Commission (CICAD) in the context of the Organisation of American States and the UN Regional Centre for Peace, Disarmament and Development in Latin America and the Caribbean, which dealt with the question of SALW.

Sweden has made the following contributions to international projects related to SALW:

- SKr 3.3 million to a World Bank project for demobilisation in Cambodia;
- US$ 300,000 to the Organisation of African Unity for regional preparations for the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects;
- SKr 1 million to the Arias Foundation for Peace and Human Progress for the development of an International Code of Conduct on Arms Transfers, and for preparations for the UN Conference on Illicit Trade in Small Arms and Light Weapons in All its Aspects.

Sweden has also supported the following research projects:

- The Graduate Institute of International Studies "Small Arms Survey" project, which aims to increase the knowledge of manufacture, transfers, stockpiling and use of small arms, and to establish "best practices" for the regions that the project focuses on, with SKr 180,000 annually. This is a Swiss project supported also by Germany, Denmark (CHF 70,000) Great Britain (£ 30,000) and the Netherlands (NLG 100,000), as well as by Canada and Norway;
- The Saferworld "Tackling the Spread of Light Weapons: Deepening Collaboration between EU Member States and Associate Countries" Programme of seminars, with SKr 200,000, February 1999 - January 2001;
- The Monterey Institute "Practical Guide for Working in Weapons-Abundant Areas: Identification, Safe Handling, Collection and Destruction", with SKr 135,000. This project is also supported by Switzerland;
- The South Africa-based Institute for Security Studies' project on the proliferation of small arms in Southern Africa, with SKr 600,000.

Belgium has supported a study on the production of arms abroad under Belgian licence by the Belgian NGO "Vrede". Belgium has also supported the project "Gun free South Africa", in co-ordination with the Belgian NGO "Broederlijk Delen". The purpose of the project is to raise the awareness in civil society regarding the negative effects of the excessive spread of small arms.

Germany has supported the "Swords into ploughshares" project in Mozambique: US$ 161,000project with regard to "Disarmament, Demobilisation and Reintegration of Ex-Combatants (DD&R)".

The **Netherlands** contributed NLG 43,000 to the publication of the guide "Tackling Small Arms and Light Weapons: A Practical Guide for Collection and Destruction" of the Program on Security and Development (SAND), the Monterey Institute of International Studies and the Bonn International Centre for Conversion (BICC). **Finland** made a contribution of EUR 8,000 to the same project.

The Netherlands further made the following contributions:

- NLG 900,000 to the joint project of the OAU/ISS on small arms.
- £ 70,000 to the joint project of Saferworld, BASIC and International Alert "Biting the Bullet".
- NLG 100,000 to the project of Saferworld "Tackling the Spread of Light Weapons: Deepening Collaboration between EU Member States and Associate Countries".

Units of the **Italian** Army participated in a number of external operations, during which the following SALW were collected or confiscated and subsequently destroyed:

The MSU-KFOR unit: 4 machine guns, 86 sub-machine guns, 28 rifles, 4 anti-tank guns, 35 shotguns, 12 grenade launchers, 71 revolvers, 5 rifle grenades, and 60 hand grenades, were handed over to the Multinational Brigade Destruction Centre.
The ITALFOR-BIH unit: 1 light machine gun, 5 automatic rifles, 2 rifles and 5 portable launchers were collected and destroyed.
The ITALFOR-KOSOVO unit: 65 light machine guns, 5 heavy machine guns, 15 mortars (14 destroyed), 43 anti-tank guns (38 destroyed), 4 grenade launchers, 8 anti-aircraft guns (5 destroyed), 870 automatic rifles (865 destroyed), 391 rifles (387 destroyed) and 31 shotguns (28 destroyed).

II.B.3 Actions taken by member States in support of affected states

The member States have provided the following information as regards technical, financial and other assistance given to other states, especially those in affected regions:

In August, the **United Kingdom** facilitated an EU-funded fact-finding visit to London by the Legal Adviser to the Deputy Prime Minister of Cambodia on UK SALW legislation. In September, the UK formally handed over a UK-made Euroshear 4000 weapons destruction machine to the Royal Swaziland Police, and provided training in its use.

In November 2000, the UK approved funding for a Small Arms Destruction Fund to begin

operation in 2001/2002 with an allocation of £140,000 for that year. UK forces continued to play a leading role in the weapons and ammunition collection programmes that form part of Operation Leatherman in Kosovo and Operation Harvest in Bosnia.

The **Italian** and Albanian Ministries of Defence have drafted a Memorandum of Understanding on co-operation, following the Agreement on Bilateral Co-operation for Defence between the Italian Government and the Albanian Government, from 1995. The agreement aims at re-organising and strengthening the Albanian Armed Forces. Italy will provide technical assistance, advice, equipment and materials in specific fields. The main goals for co-operation are stabilising and normalising the Balkan area, and providing direct assistance in re-organising the Albanian social-political framework during the sensitive transition phase of the "westernising" and "modernising" process. An Italian Experts Delegation (DIE) has been established to develop assistance and co-operation activities to assist the Albanian Armed Forces in transforming and adapting their military structures. DIE has been operating in Albania since 28 August 1997 together with Albanian experts.

Germany has supported disarmament, demobilisation and reintegration programmes (DD&R) in Angola, Chad, Ethiopia, Eritrea, Mozambique, Somalia, and Uganda. In the Philippines, the reintegration of former Muslim combatants in Mindanao is being promoted within the framework of two projects (education and family health). Discussions are currently underway concerning the provision of support to the Government of South Africa's rationalisation programme (demobilisation and reintegration) via the Institute for Security Studies (ISS). Between 1999 and 2002 funding in the amount of DM 4 million is designated for the DD&R of former combatants in Cambodia. For the integration of former combatants in Mozambique DM 13.4 million have been designated between 1994 and 2001. The DD&R of ex-combatants in Sierra Leone are being prepared in the context of a comprehensive rehabilitation and reconstruction programme amounting to DM 5.34 million.

For the development and extended application of measures to control the trade in small arms in the Horn of Africa, funding of DM 1.5 million is being provided by Germany between 2000 and 2002. For the contribution of development co-operation to reducing the uncontrolled

spread and misuse of small arms, funds amounting to DM 10 million are earmarked for the period 2001 to 2004. In addition, in applying an integrated and comprehensive approach, several development projects which have an impact on combating the small arms problem are being funded, e.g. in connection with security-sector reform, good governance and promoting advocacy through civil-society organisations.

In November 2000, Germany initiated a project aiming at the effective destruction of small arms in Albania within the framework of the "Stability Pact for Southeast Europe": From December 2000 to April 2001, 40,000 SALW have been destroyed by an expert team of the Albanian Ministry of Defence in co-operation with German specialists who provide training as well as special material and equipment. DM 500,000 has been designated for this purpose. The project is based on a Memorandum of 7 September 2000, in which the Government of Albania has committed itself "to destroy the small arms and light weapons looted during the 1997 crisis, including those that have already been collected and will be collected in the future from the civilian population".

The **Netherlands** has contributed NLG 300,000 to the OSCE Voluntary Fund for Moldova for the withdrawal of Russian military equipment from Transdniestria. The Netherlands also financed the participation of a national expert for destruction of ammunition to the OSCE Mission to Moldova.

The Netherlands has contributed to the realisation of the "Flamme de la Paix" in Niger with NLG 25,000. **Denmark** allocated DKR 145,000 to this project. **Belgium** has also contributed.

In the fall of 2000, **Finland** funded two consultants in order to prepare small arms surveys, one in Guatemala and the other in Bosnia-Herzegovina. This year, Finland is planning to implement some initiatives and recommendations given in these surveys.

The **Spanish** Guardia Civil gives technical assistance to law enforcement agencies in countries like Nicaragua, Guatemala, El Salvador, Mozambique and Timor. This assistance includes the control of small arms and explosives.

II.C Organising and participating in international seminars and conferences by Member States

The member States have provided the following information as regards organising and supporting international seminars and conferences. In addition, the EU member States have participated in numerous seminars and workshops on export controls and on small arms and light weapons.

In February, the **United Kingdom** funded the Kampala Conference on "Tackling Small Arms Proliferation in Eastern Africa and the Greater Horn", which led to an outline Action Plan for the sub-region which will tackle the subject of arms trafficking. DFID has contributed funding for follow-up meetings in connection with this Action Plan. The UK is supporting five follow-up workshops being organised by Saferworld and the Inter-Governmental Authority for Development.

Austria has contributed financially to the organisation of a regional roundtable, on 14-15 April 2000 in Tblisi, Georgia, entitled "Small Arms - Large Measures: Curbing Arms Transfers as a Conflict Prevention Strategy in the South Caucasus". The roundtable was organised jointly by the East-West Institute and by Saferworld. **Finland** was one of the moderators of the roundtable. Austria provided a keynote speaker, and **French** experts attended. Austria also provided financial assistance to two delegations for their participation at the OSCE-Seminar on Small Arms and Light Weapons, in Vienna on 3-5 April 2000 and provided a keynote speaker. The **Netherlands** and Finland provided financial assistance to three delegations for their participation. Finland provided one of the moderators. As Chair in Office of the OSCE, Austria, together with International Alert and Saferworld, organised a side event on SALW ("Tackling Small Arms - the OSCE Initiative and the UN 2001 Conference"), on 27 November 2000,on the margins of the OSCE Ministerial Meeting in Vienna.

The **Dutch** Minister of Foreign Affairs attended the EU/SADC Ministerial Meeting, held in Gaborone, Botswana on 29-30 November 2000. The Minister introduced the issue of SALW through his speech. The meeting resulted in the adoption of the EU/SADC Declaration on Small Arms. **Denmark** has given US$ 30,000 of which $10,000will be used for follow-up, **Finland**

EUR 30,000, and the **UK** £ 50,000 in support of the Great Lakes Region and Horn of Africa Conference on Small Arms, held in Nairobi on 12-15 March 2000 which was organised by the Security Research and Information Centre (SRIC) and the United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI).

Finland organised the international workshop "Action Plan for Small Arms – goals for the 2001 UN Conference Workshop" in Saariselkä, Finland in December 2000. The workshop was organised in association with Saferworld, BASIC and International Alert and formed a part of their "Biting the Bullet" Project, in preparation for the UN 2001 Conference.

Belgium has sponsored a seminar organised by Saferworld on the control of illegal transfers with a special interest for the air transport sector.

Germany has hosted an International Policy Dialogue Conference on Development and Disarmament on 31 October to 1 November 2000, in Bonn, focussing on the SALW issue.

In February 2000, **Portugal** organised a meeting with Amnesty International on military, security and police equipment transfers, and participated in the "Controlling the flow of SALW from and through an enlarged EU" seminar organised by Saferworld.

II.D EU and member State participation in the work of international organisations and regional arrangements in the field of conventional arms, especially small arms and light weapons, and efforts to build consensus in relevant regional and international fora on the principles of the Joint Action

II.D.1 The United Nations (in particular the preparations for the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects)

Because of the importance that the EU attaches to the measures to combat the uncontrolled spread and destabilising accumulation of small arms, the EU has taken an active interest in the preparations for the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects.

The EU has put forward proposals in key areas, such as export controls and criteria; marking and tracing; brokering; stockpile management, surplus and destruction; disarmament, demobilisation and reintegration of ex-combatants; assistance for implementation of concrete measures and follow-up, in pursuit of a politically binding Programme of Action with forward looking measures at the national, regional and global level.

In July 2000, the **United Kingdom** nominated Sir Michael Weston as the UK candidate to chair the Conference, and in September, he was endorsed as the EU candidate.

In the margin of the first Preparatory Committee of the 2001 Conference, the **Netherlands,** together with Switzerland and Norway, launched the initiative of a Group of Friends to the 2001 Conference, designed to give further impetus to the Preparatory Committee process. On 28-29 September 2000, the Netherlands, together with Hungary, organised an expert workshop on destruction of SALW. This workshop resulted in a set of recommendations to the 2001 Conference, which were presented to the chair of the Preparatory Committee of the Conference. During the same Preparatory Committee session, on 29 February 2000, the Netherlands co-organised a public briefing with Saferworld, BASIC and International Alert.

France, **Belgium** and the **United Kingdom** were represented on the UN Group of Governmental Experts, established under General Assembly resolution 54/54 V. In preparation for the 2001 UN Conference, this Group carried out a study on the feasibility of restricting the manufacture and trade of SALW to persons who had been authorised by States, including in its mandate brokering activities, in particular transport and financial operations related to illicit supplies. The UK and other member States also participated actively in the work of the Geneva Group of countries working on SALW and the Conference.

In view of the 2001 United Nations Conference, **France**, in co-operation with Switzerland, presented during the First session of the Preparatory Committee for the UN Conference on Small Arms a discussion paper "Contribution to the implementation of an international action plan for the 20001 Conference: The marking, identification and the control of SALW". A seminar was organised on the issue in Geneva, on 12-13 March 2001.

The EU member States have actively taken part in the negotiations on the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transitional Organised Crime, which was adopted without vote by the General Assembly on 31 May 2001. The EU Commission had a negotiating mandate on certain articles of the Protocol. **France** has organised a working meeting of the member states of the *Francophonie* on this theme, in January 2000.

Furthermore, **Belgium**, **Finland**, **France**, **Germany, the UK** and **Sweden** have participated in the work of the United Nations Secretary-General's Group of Governmental Experts on small arms, which has produced two reports on the issue.

II.D.2 The United Nations General Assembly

Member States have taken the following positions on the resolutions relating to small arms issues, which were adopted by the General Assembly at its fifty-fifth session:

- *'Consolidation of peace through practical disarmament measures'* (55/33G)
  - Germany (tabled), EU member States co-sponsored
- *'Transparency in Armaments'* (55/33U)
  - Germany and the Netherlands (tabled), EU member States co-sponsored
- *'Illicit traffic in small arms and light weapons'* (55/33Q)
  - EU member States co-sponsored
- *'Assistance to States for curbing illicit traffic in small arms and collecting them'* (55/33 F)
  EU member States co-sponsored
- *'Relationship between disarmament and development" (55/33L)*
  adopted by consensus

II.D.3 The Organisation for Security and Co-operation in Europe

EU member States have participated actively in the work of the OSCE in the field of SALW, which has, inter alia, resulted in the adoption of the OSCE Document on SALW, at the OSCE Ministerial

Conference of 24 November 2000. The United Kingdom co-ordinated negotiations through its Chairmanship of Working Group B of the Forum for Security Co-operation. The Document is a significant regional contribution to combating the proliferation and misuse of SALW and a major confidence-building step towards the 2001 UN Conference. The United Kingdom has also provided support to the OSCE Secretariat in this context.

II.D.4 The Economic Community of West African States

Sweden is represented in the PCASED Advisory Group. See further section II.B.2 above on member States' financial support for ECOWAS and PCASED.

II.D.5 The Wassenaar Arrangement

The EU member States participated actively in the work of the Wassenaar Arrangement. For example, the **United Kingdom** has encouraged on-going discussion in the Wassenaar Arrangement about the desirability and feasibility of including SALW transfers in the information exchanges between Participating States.

II.D.6 Southern African Development Community

In regular bilateral contacts with SADC States, including at ministerial level, the **United Kingdom** has supported efforts to bolster the EU/SADC process and the implementation of the EU/SADC Regional Action Programme.

II.D.7 The Euro-Atlantic Partnership Council and the North Atlantic Treaty Organisation

EU member States participate actively in the work of the EAPC. Until May 2000, the UK chaired the EAPC/NATO Ad Hoc Working Group on SALW.

II.D.8 Other

The issue of SALW is regularly dealt with in the political dialogue meetings at expert level with the Associated Countries.

PART III PRIORITIES FOR THE FUTURE ASSISTANCE OF THE EUROPEAN UNION

III.A Priority guidelines

The EU can make an important contribution towards eradicating the problems caused by destabilising and uncontrolled spread of SALW. Working towards the elimination of this source of destabilisation and conflict will be a great contribution to preventing future conflicts. The actions already taken by the EU represent important steps in this regard and should be followed up by determined efforts in the same direction. The adoption by the UN Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, of a Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects would add to the commitment taken earlier by the EU through its Joint Action on small arms.

With a view to improving and deepening the implementation of the Joint Action and the Programme, member States have identified a number of guidelines on issues on which decisions should be taken or to which attention should be given in the near future. These guidelines will obviously be subject to periodical reviews, according to the experience accumulated in the process of implementing EU projects

III.B The need for a comprehensive approach

Although there is a wide recognition that further international actions should be taken to deal with the problems of SALW, there are many complex factors and processes that need to be taken into account, such as international and internal security, trade, civil-military relations and the role of weapons in society. These problems cannot be solved by one quick fix. They must be addressed

through a comprehensive approach dealing with the different aspects of the problem – which might differ from region to region - and the solutions must be sought through a wide range of agreed measures. Member States agreed that such efforts should aim both at the reduction of existing destabilising accumulations and at the prevention of further uncontrolled spread of these weapons. Through assistance, local capacities to address these issues can be strengthened.

As regards financial support to SALW related projects, the objective of the EU will be to strengthen the efforts to reduce the availability and supply of SALW to areas of conflict or potential conflict, to help to develop a range of international measures to limit the demand for SALW in such areas, and to help governments to cope with the problems these weapons cause. Such measures can be taken by the EU or at the member State level, and by acting through the appropriate regional or global institutions. The respective efforts of the member States and of the Commission will aim for complementarity, and reflect the ambition to deal with the different aspects of the small arms problem at the national, sub-regional, regional and global level.

III.C The need for targeted action

Countries with high levels of insecurity or violence cannot make effective use of development assistance. Therefore, assistance to conflict-prone countries or regions should be provided to promote security, disarmament, demobilisation and reintegration into the society of ex-combatants as an integrated part of social and economic development programmes.

In those cases where the governments are actively concerned with reducing the arms flow into and circulation of SALW within their region, the EU should co-operate with them in this task. In practice, recipient governments may lack the capacity to implement their own control programmes. Therefore, the EU is prepared to consider providing practical support for initiatives such as capacity building and training, awareness raising etc.

III.D The need for criteria for allocation of funds

Assistance from the EU for the projects that have been supported up to now has been decided on

an ad hoc basis. To ensure that all future projects are comprehensive and targeted, the member States have identified the following basic criteria, against which the EU will make a preliminary assessment of applications.

- Assistance by the EU in the field of SALW must be based on a genuine political will in the recipient state
- Assistance projects will be based on close co-operation with the authorities in the recipient state and the role of different actors should be defined.
- The proposed projects will enhance either local, national or regional security within the recipient state/region (e.g. contribute to control of small arms, confidence building measures, reconciliation, regional stability).
- In projects, which include a weapons collection component, all weapons collected should, in principle, be destroyed.
- Assistance in the field of SALW should be part of an overall development and security strategy with regard to the recipient country. In cases where this is not possible, the project proposal should outline how this activity will contribute to integrating SALW policy into wider security and development policy.
- For each project, clear objectives will be established and bench marks and time lines identified, so as to make it possible to assess impact of the project.
- Requests for assistance should clearly state how the proposed project will further the aims and objectives of the EU Joint Action.
- Requests for assistance should clearly state how the proposed project would enhance the recipient state's ability to implement existing regional or international commitments.

EU member States and the Commission will engage in a dialogue within the relevant working groups with a view to developing or deepening common criteria for EU projects.

III.E The need for thorough assessment and evaluation

It is important that the projects supported by EU funds are thoroughly assessed and evaluated. Measures to achieve this include:

- The implementation of the projects should be according to sound principles of financial management
- A final report will be submitted at the end of a project, summarising the results achieved.
- An assessment will be made in order to evaluate if its objectives have been reached and if a follow-up is needed. Such an assessment will be made at least towards the end of the project. Projects which are implemented over a long period of time or to which the financial contribution of the European Union is important will be assessed also during the period of implementation.
- The assessment will be carried out by independent experts.
- The final report and the assessment will also be used to identify lessons to be learned for future projects.

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United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
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Note verbale dated 5 July 2001 from the Permanent Mission of Sweden to the United Nations addressed to the Department for Disarmament Affairs of the United Nations Secretariat, transmitting, in its capacity as Honorary President of the Euro-Atlantic Partnership Council, the EAPC/PfP contribution to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

The Permanent Mission of Sweden to the United Nations presents its compliments to the Department for Disarmament Affairs of the United Nations Secretariat and, in Sweden's capacity as Honorary President of the Euro-Atlantic Partnership Council (EAPC), has the honour to forward the written EAPC/Partnership for Peace (PfP) contribution to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (see annex). The Permanent Mission of Sweden kindly requests the Secretariat to circulate the attached contribution as a document of the Conference.

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Annex

Euro-Atlantic Partnership Council/Partnership for Peace contribution to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Executive summary

1. Established in 1997, the Euro-Atlantic Partnership Council (EAPC) serves as a multilateral forum, providing the overarching framework for consultations among its 46 member States on a broad range of political and security related issues. EAPC is committed to strengthening and extending peace and stability in the Euro-Atlantic area based on shared values and principles. Taking full account of and complementing the respective activities of other international institutions, EAPC has a comprehensive work programme. This includes addressing the challenges of small arms and light weapons through the EAPC Ad Hoc Working Group on small arms and light weapons.

2. Meeting on a regular basis since 1999, the Ad Hoc Working Group agreed at an early stage that its work should aim at adding value to and supplementing existing activities in order to avoid duplication and overlaps. The Ad Hoc Working Group takes into account the work done in the United Nations, the European Union, the Organization for Security and Cooperation in Europe (OSCE), the Wassenaar Arrangement, the South-East European Stability Pact and the activities of concerned non-governmental organizations by inviting experts from those organizations and academic institutions to address its meetings, workshops and seminars. The "added value" of the Ad Hoc Working Group is in its ability to take advantage of and apply NATO/EAPC's specific politico-military knowledge and expertise in particular through the work of the Political-Military Steering Committee on Partnership for Peace. The Ad Hoc Working Group places emphasis on the practical character of its initiatives and their relevance to ongoing efforts in conflict prevention as well as in post-conflict situations.

3. The Ad Hoc Working Group identified three broad areas where there is a significant potential for an enhanced contribution to the challenge of small arms and light weapons and where it is important to share experiences. The first area concerns generic training with development of appropriate dialogue and training on best practices related to logistical standards and procedures, stockpile management and security of storage sites, disposal and destruction of surplus stocks, small arms and light weapons collection and destruction including in the context of peace support operations. The second area covers tailored assistance and cooperation with individual nations. The idea is to assist individual nations, upon request, in structuring, organizing and implementing programmes designed to meet the challenge of small arms and light weapons.

4. These first two areas are addressed within the overall framework of Partnership for Peace and are directed by the Political-Military Steering Committee. This is accomplished by building on current activities and establishing additional ones through the creation of a new Partnership work programme chapter entitled "The Challenge of Small Arms and Light Weapons". In addition, a PfP Trust Fund for the destruction of anti-personnel landmines stockpiles and surplus munitions and small arms and light weapons has been established. Thanks to this Fund, the PfP is now in a position to assist in the destruction of all these items.

5. The third area is one of "best practices" related to the transfer of small arms and light weapons. Given the overall challenge of small arms and light weapons, there are a number of issues where further exchanges of information and consultation among EAPC nations may enhance the overall effectiveness of existing controls in this field, possibly facilitating common approaches.

6. In short, the EAPC Ad Hoc Working Group and the Political-Military Steering Committee are established bodies meeting regularly to coordinate activities, provide practical assistance, develop programmes and exchange views on how best to meet the challenges of small arms and light weapons within established norms and standards in the Euro-Atlantic area.

EAPC/PfP contribution to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Introduction

1. The excessive and destabilizing accumulation of small arms and light weapons and their widespread availability in many regions of the world constitute a threat to peace and stability. This is an issue of legitimate concern for the international community, and the States members of the Euro-Atlantic Partnership Council have clearly identified the challenge presented by the lack of control on small arms and light weapons in crisis regions of the Euro-Atlantic area. Easy to acquire and to use, they are a significant factor in exacerbating and prolonging violence in current armed conflicts.

2. The 2001 United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects is the focal point of all international efforts to strengthen and develop coordinated and comprehensive global action to prevent and reduce the proliferation and misuse of small arms and light weapons. It is the objective of NATO/EAPC member States to make a valid contribution to the global effort in tackling the issue of small arms and light weapons, working closely with other international organizations involved.

Background

3. The first reference to small arms control appeared in the Euro-Atlantic Partnership Council (EAPC) Action Plan for 1998-2000, adopted in January 1998, in which consultations on expert meetings were encouraged in the particular field. One year later, the NATO Washington Summit Communiqué included (para. 23) the control over transfer of small arms among the new areas of cooperation between the Alliance and its partners. During the Euro-Atlantic Partnership Council meeting at the summit level which was held in Washington on 25 April 1999, the EAPC Heads of State and Government welcomed the creation of an open-ended ad hoc working group to examine how EAPC might contribute to controlling the transfer of small arms and light weapons.

4. The first meeting of the Ad Hoc Working Group on Small Arms and Light Weapons convened on 28 May 1999. Focusing on the issue of small arms and light weapons in crisis regions of the Euro-Atlantic area, the Group realized that in many cases huge stockpiles are stored in military arsenals and that there is a significant risk that those weapons could be spread. The comparative advantage of EAPC/PfP in addressing these issues lies in its capability to bring its structure, procedures and experience to bear to find potential solutions to tackle some of the main sources of illicit arms/insecure weapons storage in military units, and surplus equipment. Three types of action were identified aiming at reducing small arms to an appropriate level, in terms of defence and security needs; managing and securing these stockpiles; and preventing the illegal transfer of the surplus.

5. On this basis the Working Group adopted a work programme in July 1999. The work programme set out three specific areas:

(a) Stockpile management and security, and destruction of surplus stocks;

(b) National export control, mechanisms, enforcement and arms embargoes;

(c) Peacekeeping training and development.

6. The Ad Hoc Working Group agreed at an early stage that discussions on potential EAPC/PfP activities in the area of small arms and light weapons should aim at adding value to and supplementing existing activities in order to avoid duplication and overlap. They should also take into account the work done in the European Union and in OSCE and take advantage of NATO/EAPC's specific politico-military knowledge and expertise, in particular through the work of the Political-Military Steering Committee on Partnership for Peace. The Ad Hoc Working Group should invite experts from international organizations, academic institutions and NGOs for briefings and exchanges of views.

Scope and objective of activities

7. In November 1999, after several substantive meetings, the Ad Hoc Working Group submitted a report to EAPC which contained proposals for activities within EAPC and the Partnership for Peace programme. These proposed activities built upon the agreed Partnership Work Programme and already existing PfP activities within the various NATO committees and panels which have been opened to Partners. The Ad Hoc Working Group identified three broad areas where there is a significant potential for an enhanced contribution to the challenge of small arms and light weapons and where it will be important to share experiences among EAPC nations and with the United Nations, OSCE, the European Union (EU) and other international organizations. The Group has placed emphasis on the practical character of the initiatives and their relevance to ongoing efforts in conflict prevention as well as in post-conflict situations.

8. The first area concerns generic training, with development of appropriate dialogue and training on best practices related to logistical standards and procedures, stockpile management and security of storage sites, disposal and destruction of surplus stocks, small arms and light weapons collection and destruction including in the context of peace support operations.

9. The second area covers tailored assistance and cooperation with individual nations. The idea is to assist individual nations, upon request, in structuring, organizing and implementing programmes designed to meet the challenge of small arms and light weapons. Activities may include:

- Border control techniques and procedures;
- Stockpile management and security of storage sites;
- Disposal and destruction of surplus and old stocks, including munitions;
- Practical assistance in the development of export control regulations and mechanisms in the field of small arms and light weapons, including common approaches in weapons marking;
- Cooperation as required with customs and police enforcement in the implementation of preventive and reactive measures vis-à-vis illicit trafficking;
- Assistance to regional approaches on specific problems relating to small arms and light weapons.

10. The third area is one of "best practices" related to the transfer of small arms and light weapons. Given the overall challenge of small arms and light weapons, there are a number of issues where further exchange of

information and consultation among EAPC nations may enhance the overall effectiveness of controls in this field, possibly facilitating common approaches with the following general objectives:

- Facilitating information exchange on national export control regimes, including legislation, procedures and enforcement mechanisms;
- Promoting transparency and common approaches towards principles and mechanisms regarding weapons marking, export control and transfers of small arms and light weapons by EAPC nations;
- Improving understanding within EAPC with respect to the interrelationships between the political, military and socio-economic aspects of small arms and light weapons circulation and transfers;
- Facilitating information exchange and transparency on issues related to compliance with international arms embargoes.

11. The Working Group recommended that the first two areas be addressed within the overall framework of the Partnership for Peace. This would be accomplished by building on current activities and establishing additional ones through the creation of a new Partnership Work Programme chapter entitled "The Challenge of Small Arms and Light Weapons".

12. The Working Group further recommended that the third area, best practices related to the transfer of small arms and light weapons, will have to be further examined within EAPC as a very practical and tangible element of overall EAPC cooperation. It was recommended that this examination may take the form of subsequent in-depth consultations as well as participation by EAPC members in relevant workshops and seminars.

Partnership for Peace cooperation in small arms and light weapons

13. In March 2000, the North Atlantic Council and the Euro-Atlantic Partnership Council recognized the need for allied nations and partners to undertake common action in the field of small arms and light weapons. The Partnership for Peace therefore added to its 22 areas of cooperation (among them peacekeeping, civil emergency planning, defence policy and strategy) a new one on small arms and light weapons.

14. This area of cooperation aims at assisting those countries who request it in reducing small arms and light weapons to an appropriate level in terms of defence and internal security needs, managing and securing these stockpiles and preventing illegal transfers of the surplus weapons. For each case, if requested, the country would be assisted by a team of experts. This team of experts would be manned by interested donor nations and would stay in the country for as much time as necessary. Another example of possible cooperation is in the field of safety of storage sites. Expert advice is available for a country which would be interested in establishing appropriate policies, staffing, funding and technical requirements. In particular, a training course in the field of small arms and light weapons stockpile management and security has been developed.

15. In addition, PfP nations have acknowledged that controlling movements of weapons at the borders is a way to prevent small arms and light weapons from pouring into conflict areas or ending up in the hands of civilians. It is therefore proposed to assist countries in establishing appropriate border controls with expertise, training and equipment.

16. Lastly, a PfP Trust Fund for the destruction of anti-personnel landmine stockpiles, surplus munitions and small arms and light weapons has been established. Thanks to this Fund, PfP is now in a position to assist in the destruction of all these items. The Fund operates on a project basis. The project proposal has to come from at least one partner and one allied nation. It has to include the number and type of items to be destroyed, the method of destruction and assessment of costs. If the proposal is accepted by PfP nations, an executing agent and a lead nation will develop a specific proposal for the project, which will then be implemented. The Office of NATO's Financial Controller acts as a treasurer of each project and NATO's Maintenance and Supply Agency (NAMSA) often acts as an executing agent although any other executing agent could be chosen by the lead nation. An executing agent and a lead nation, in conjunction with the partner nation in which the project will take place, will develop a specific proposal for the project which will then be implemented once sufficient funds from interested donors have been identified.

17. So far, the Trust Fund has focused on anti-personnel landmines and surplus munitions in Albania, and similar programmes for the Republic of Moldova

and Ukraine. PfP is ready to consider actively similar assistance to other countries in the field of small arms and light weapons.

Activities within the Ad Hoc Working Group

18. In accordance with the EAPC Action Plan as accepted by EAPC Ambassadors in November 1999, two workshops were organized at NATO headquarters. On 16 and 17 March 2000, EAPC representatives met in a workshop format to discuss the broad topic of export control on small arms and light weapons transfer with three basic objectives:

- To facilitate information exchange on export control regimes;
- To promote transparency and common approaches towards principles and mechanisms regarding export controls and small arms and light weapons transfers;
- To identify appropriate EAPC contributions to international efforts related to small arms and light weapons transfers, taking into account previous EAPC discussions on small arms and light weapons.

19. The Workshop sought to take account of the work accomplished in the development of the European Union s Code of Conduct and the Joint Action Plan on small arms and light weapons, and the OSCE Principles Governing Conventional Arms Transfers, as well as the relevant work that has been undertaken within the Wassenaar Arrangement and the United Nations.

20. The Workshop noted a number of significant national contributions on export control policy and practices, including recent efforts to develop regional and subregional approaches to the challenge of small arms and light weapons. These national contributions focused on a shared view that national legislation and enforcement systems should be established for effective export control of small arms and light weapons, and that possibilities for strengthening international cooperation are closely related to the effectiveness of the national control of small arms and light weapons transfers. National presentations provided an overview of structures and policies that have been established in several new democracies, and included information on bilateral and multilateral assistance programmes related to export control and enforcement activities.

21. A second Workshop was held on 20 and 21 March 2000 to discuss the broad topic of marking and tracing of small arms and light weapons. The objectives were:

- To facilitate information exchange on national practices regarding marking and tracing;
- To promote transparency and common approaches towards principles and mechanisms regarding marking and tracing;
- To identify the appropriate EAPC contribution to international efforts related to establishing an effective regime for small arms and light weapons marking and tracing, taking into account previous EAPC discussions on small arms and light weapons.

22. The Workshop sought to take account of the work accomplished in the development of the OSCE Principles Governing Conventional Arms Transfers, the various initiatives that have been undertaken by NGOs, as well as the relevant work that has taken place within the United Nations.

23. The Workshop noted a number of significant national contributions on marking and tracing, including explanations as to the purpose of marking, common manufacturers' marks, the relevance of marking for law enforcement purposes, the marking of imported and deactivated small arms and light weapons and the possible impact on national systems of the draft provisions of the United Nations Convention against Transnational Organized Crime and the supplementary Firearms Protocol. The national contributions included background regarding the importance of a reliable marking system for the industry itself, law enforcement and prosecution, and the prevention and combating of illicit and/or destabilizing accumulations of small arms and light weapons.

24. EAPC representatives met again on 21 November 2000 to discuss export control of small arms and light weapons in the EAPC area with experts. This workshop was part of the continuation of a more focused discussion related to the transfer of small arms and light weapons initiated by the EAPC workshops of 16-17 and 20-21 March 2000. The three basic objectives of the Workshop were as follows:

- To take stock of the work accomplished or undertaken in the United Nations, OSCE, the European Union, the Wassenaar Arrangement and recent initiatives of the Stability Pact;
- To identify the appropriate EAPC contribution to international efforts related to small arms and light weapons transfers, taking into account previous EAPC discussions on small arms and light weapons;
- To discuss with export control officials the preparation and processing of end-use and delivery of control certification, practical aspects of border and customs control procedures and documentation, techniques and equipment used for control of small arms and light weapons transfers.

25. The Workshop sought to take account of the United Nations agenda, the OSCE Document on Small Arms and Light Weapons, the European Union Code of Conduct and the Joint Action Plan on Small Arms and Light Weapons, the Wassenaar Arrangement as well as the activities on small arms and light weapons driven by Working Table III of the Stability Pact for South-Eastern Europe.

26. The workshop provided a useful opportunity to focus on the specification of export controls on small arms and light weapons. Experts from capitals discussed practical aspects of export control activities the EAPC countries are engaged in.

27. Efforts of the EAPC Ad Hoc Working Group complement other endeavours on small arms and light weapons within NATO, such as a NATO-Russia Permanent Joint Council Working Group on Peacekeeping which, inter alia, develops common practical approaches to arms collection in the context of peacekeeping operations, and the Mediterranean Coordination Group consultation on small arms and light weapons.

28. Issues related to small arms and light weapons are also addressed in the framework of the NATO/South-East Europe Initiative, as defined by the South-East Europe Security Cooperation Steering Group (SEEGROUP) Action Plan 2000-2001.

29. The Ad Hoc Working Group on Prospects for Regional Cooperation in South-East Europe conducted a theme-centred discussion on issues of small arms and light weapons on the basis of a presentation by the Coordinator of the OSCE Document on Small Arms and Light Weapons.

30. The EAPC Ad Hoc Working Group on Prospects for Regional Cooperation in the Caucasus is considering initiatives to include small arms and light weapons issues as potential areas for practical regional cooperation in the Caucasus. In the meantime, there is no consensus on this issue among the countries concerned.

31. NATO and the EAPC member States have maintained very close liaison with OSCE during the negotiations in the Forum for Security Cooperation that have led to the adoption of the OSCE milestone document on small arms and light weapons. EAPC will promote and support implementation of the document's provision by members of the EAPC countries.

Role of the NATO Parliamentary Assembly

32. The NATO Parliamentary Assembly, as an inter-parliamentary forum for NATO members and associated partners, has actively addressed and studied small arms control through its meetings, seminars and reports. During the 46th Rose-Roth seminar, held in Portoroz, Slovenia, from 4 to 6 May 2000, parliamentarians from Central and Eastern Europe and international experts debated the non-proliferation challenge, the future of arms control and notably the issue of small arms and light weapons in the South-Eastern Europe region.

33. The problem of small arms and light weapons remains high in the agenda of the NATO Parliamentary Assembly, with the Science and Technology Committee presenting resolution 303 on Small Arms Control (see appendix I).

Conclusions

34. With regard to small arms and light weapons issues in the Euro-Atlantic area, EAPC is a very important player, considering its expertise, its ability to cooperate with other international organizations in South-Eastern Europe and its relations with Central and Eastern European countries and countries of the Commonwealth of Independent States through EAPC and PfP. EAPC's sustained efforts in the area of small

arms and light weapons contribute to the synergy of efforts among all competent organizations to address the illicit transfer of these weapons.

35. Participating States will use EAPC and PfP to contribute to the regional implementation of the forthcoming programme of activities to be agreed at the United Nations Conference on small arms and light weapons and of the OSCE Document. They will closely liaise with the United Nations, OSCE and other relevant organizations and forums in order to exchange information, optimize cooperation and mutual assistance and avoid unnecessary duplication.

Appendix I

NATO Parliamentary Assembly resolution 303 on Small Arms Control

The Assembly,

1. **Aware** that small arms and light weapons have been the most preferred combat tools in most conflicts that have broken out since the end of the cold war, and that approximately 50 per cent of those killed or wounded by these weapons are civilians,

2. **Conscious** that small arms, although highly lethal, are very cheap, highly mobile, easy to acquire, use, trade and conceal, and extremely durable,

3. **Concerned** that, until recently, most initiatives to control small arms diffusion, curb illegal trafficking and promote transparency in international transfers have not been very successful, and that the existing volume of small arms stocks in uncontrolled circulation throughout the world, and especially in crisis areas, constitutes an even greater problem than their production and trade,

4. **Convinced** that the increasing use and acquisition of military-style weapons by civilians cannot be justified by sports-related or self-defence purposes,

5. **Disturbed** by the fact that the light weight and small size of modern weapons has made it possible for combatants, especially in developing countries, to force children to become soldiers,

6. **Welcoming** all the initiatives of the United Nations to address the problem of small arms diffusion — at both global and regional levels — as well as the efforts of various international organizations, such as the European Union, OSCE, the Council of Europe and OECD, and of non-governmental organizations, such as the International Committee of the Red Cross,

7. **Praising** the role of NATO, through SFOR and KFOR, in the control, seizure and destruction of small arms in the Balkans, and the adoption by the Euro-Atlantic Partnership Council (EAPC) of a programme for small arms control,

8. **URGES** member Governments and parliaments of the North Atlantic Alliance:

(a) To support international efforts to control the diffusion of small arms, to avoid duplication and overlaps, and to identify possible gaps not covered by current initiatives on the global, regional and subregional levels;

(b) To strengthen existing national export-control legislation to prevent the resale of small arms;

(c) To restrict licences for small arms manufacture in certain non-Allied countries;

(d) To harmonize national approaches through wider acceptance and application of guidelines and codes of conduct, such as the EU Code of Conduct, effective application of arms embargoes, and enhanced evaluation of recipient States' records with regard to adherence to international humanitarian law and control over stocks and flows of small arms;

(e) To consider indelible marking of small arms or other technologies to enhance their identification and traceability and to work towards the preparation of an international agreement on the subject;

(f) To increase transparency in small arms manufacture and trade weapons by:

(i) Enlarging the United Nations Register of Conventional Arms in order to give an indication of flows and excessive accumulation of small arms;

(ii) Creating, in a context that can guarantee commercial discretion, a system of prior notification and consultation on arms transfers: both the United Nations Register and the EU notification systems should be strengthened in this sense;

(iii) Improving data and information sharing among States on illegal manufacturing and trafficking of small arms, eventually centralizing information in an appropriate forum, such as Interpol or Europol;

(g) To identify existing stocks and surpluses by requiring from States more transparency with regard to the holding of small arms;

(h) To enhance the capacity, in certain crisis regions, to monitor the illicit production and trafficking of small arms, and to assist State authorities and police forces in those regions;

(i) To improve storage and security of their own weapons stocks and assist other States in doing so;

(j) To develop programmes for the collection and destruction of small arms in States or regions emerging from conflict;

(k) To establish legislation prohibiting civilian possession of military-style weapons;

(l) To encourage concerted efforts and cooperation between the different activities and for dealing with small arms in the Balkans, notably the United Nations, the European Union, OSCE, NATO, EAPC and the Stability Pact. The regional approach to small arms diffusion in the Balkans should include:

(i) Promoting the EU Code of Conduct and inviting countries in the region to accept it and incorporate its provisions into their national control systems;

(ii) Intensifying law enforcement activities (especially in Kosovo), including searches, seizures and destruction of arms deposits and caches;

(iii) Providing the countries in the region with financial and technical assistance for activities and projects in the field of small arms control;

(m) To encourage all possible efforts and international cooperation to avoid the recruitment of children as soldiers in armed conflicts;

(n) To report back to the Science and Technology Committee of the NATO Parliamentary Assembly on what steps individual member Governments have taken to comply with subparagraphs (b), (e), (i) and (k) of this resolution.

Appendix II

Seminars and workshops organized by EAPC member States

1. On 2 and 3 December 1999, the Governments of Bulgaria and the Netherlands organized at The Hague a Seminar on Strengthening Stockpile Management and Transparency of Small Arms and Light Weapons in the framework of EAPC.

2. On 14 and 15 December 1999, Bulgaria hosted a Regional Conference on Export Controls under the auspices of the Stability Pact for South-Eastern Europe, co-sponsored by the Government of the United States of America. The Conference issued a Joint Declaration on Responsible Arms Transfers and a Statement on Harmonization of End-Use/End-User Certificates.

3. On 16 and 17 March 2000, the Government of Switzerland organized in the framework of EAPC/PfP a Workshop on Stockpile Management and Security of Small Arms and Light Weapons in Thun, Switzerland.

4. On 17 and 18 March 2000, a seminar on controlling flows of small arms and light weapons was held at Jablonna, near Warsaw. The seminar was organized by Saferworld (London), the Institute of Public Affairs (Warsaw) and co-hosted by the Polish Ministry for Foreign Affairs.

5. On 22 and 23 June 2000, the former Yugoslav Republic of Macedonia[a] hosted a Workshop in support of the South-Eastern Europe Initiative, on the subject of "Regional Cooperation in South-Eastern Europe and the Challenge of Small Arms and Light Weapons". The workshop was jointly organized by the host Government and Switzerland and addressed the following three topics:

- Effective border control and law enforcement regulations;
- End-use certificates in export control;
- Collection and destruction of small arms and light weapons.

The workshop highlighted the problems related to the destabilizing proliferation of small arms in South-Eastern Europe and provided the opportunity to build consensus on a number of practical regional measures concerning, notably, the collection and destruction of small arms.

6. On 18 and 19 September 2000, the Governments of Poland and Canada organized a seminar in Warsaw to address the issue of small arms disarmament within the context of peacekeeping operations.

7. On 28 and 29 September 2000, the Governments of the Netherlands and Hungary organized at The Hague an Expert Workshop on destruction of small arms and light weapons related to stockpile management and weapons collection in post-conflict situations.

8. From 16 to 19 October 2000, the Stability Pact for South-Eastern Europe and the Governments of Bulgaria and Canada organized at Sofia a Seminar on Collection and Destruction Techniques for Small Arms and Light Weapons.

9. On 20 and 21 October, the Czech Ministry for Foreign Affairs, Saferworld and

[a] Turkey recognizes the Republic of Macedonia with its constitutional name.

the Institute of International Relations held a seminar in the Czech Republic on improving accountability and transparency in relation to production transfers and holding of arms in an enlarged European Union.

10. On 7 November 2000, the Canadian joint delegation to NATO and the Centre for European Security and Disarmament organized a round table on small arms and Euro-Atlantic security at NATO headquarters.

11. On 17 and 18 November 2000, the Ministry for Foreign Affairs of Hungary, Saferworld and the Szeged Centre for Security Policy organized a round table at Szeged, Hungary, on "Tackling Small Arms Diffusion in South-Eastern Europe: towards a subregional action programme on small arms in the context of the Stability Pact".

12. On 12 and 13 March 2001, France and Switzerland organized a workshop in Geneva on the traceability of small arms and light weapons to include marking, tracing and record-keeping.

13. On 26 and 27 April 2001, the Governments of Hungary and Canada held a seminar in Budapest on arms embargoes and sanctions.

14. On 15 and 16 May, Canada and the European Union, under the Swedish presidency, will organize a workshop in Canada on small arms and light weapons destruction in the context of peace-support operations.

15. From 28 May to 1 June, the Government of Switzerland will organize a training course on stockpile security and management of small arms and light weapons, open to all EAPC countries.

16. On 21 and 22 June 2001, Switzerland and Azerbaijan organized a workshop on small arms and light weapons on the subject "Practical Challenges for the Implementation of Current Undertakings in OSCE and EAPC" in Baku. This workshop offered the possibility to exchange views on how nations implement or plan to implement the new commitments agreed upon at the Forum for Security Cooperation in November 2000. The following topics were addressed:

- Manufacturing, marking and record-keeping;
- Combating illicit trafficking: common export criteria and export controls;
- The small arms and light weapons dimension in early warning, conflict prevention, crisis management and post-conflict rehabilitation.

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United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
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Letter dated 9 July 2001 from the Chargé d'affaires a.i. of Yugoslavia to the United Nations addressed to the President of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

I have the honour to forward the statement of the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia on the occasion of Small Arms Destruction Day, 9 July 2001 (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the United Nations Conference on the Illicit Trade of Small Arms and Light Weapons in All Its Aspects.

(*Signed*) Vladislav **Mladenovic**
Chargé d'affaires a.i.

01-45013 (E) 110701

Annex to the letter dated 9 July 2001 from the Chargé d'affaires a.i. of Yugoslavia to the United Nations addressed to the President of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Statement of the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia

On the occasion of Small Arms Destruction Day, 9 July 2001, and the beginning of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, the Federal Ministry of Foreign Affairs of the Federal Republic of Yugoslavia wishes to emphasize the importance that the Federal Republic of Yugoslavia attaches to international efforts to suppress the illicit trade in small arms and light weapons.

Illegal possession of arms and, in particular, their smuggling and the arming of terrorist and organized crime groups pose a global problem today, calling for coordinated action and cooperation among all States. Widespread and ready availability of these types of weapon to a large number of individuals constitute one of the most serious threats to the life and security of citizens, as well as a direct threat to the stability of a number of countries and regions. This is particularly evident in the regions burdened by conflicts and tensions, among which is South-East Europe. This is evinced by these devastating data: in more than 45 various conflicts worldwide since 1990, preponderant use has been made of small arms and light weapons; it is estimated that over 300 million pieces of these arms and weapons have been in circulation; and the number of victims of the use of these types of weapon in armed conflicts, as well as in criminal or terrorist activities, amounts to about 300,000 each year.

In an attempt to render yet another concrete contribution to the consolidation of stability and the strengthening of confidence in the region of South-East Europe, the Federal Republic of Yugoslavia has decided to begin continued action to destroy the excess quantities of small arms and light weapons, primarily those seized from smugglers, terrorists and other unauthorized users. In that way, the Federal Republic of Yugoslavia has embarked upon a concrete implementation of the document of the Organization for Security and Cooperation in Europe (OSCE) on small arms and light weapons, adopted on 24 November 2000, on the eve of the OSCE Ministerial Conference in Vienna, the first OSCE document to which the Federal Republic of Yugoslavia acceded after its return to this important European organization. By affirming its commitment to abide fully by all OSCE provisions, the Federal Republic of Yugoslavia has also joined those countries that will be the first to render a specific contribution to the implementation of the goals of the document, which calls for the reduction and prevention of excessive and destabilizing stockpiling and uncontrolled proliferation of small arms.

In line with its policy of transparency and active international cooperation, including in military and security fields, the Federal Republic of Yugoslavia will invite observers from OSCE participating States and the representatives of the OSCE Conflict Prevention Centre in Vienna and the OSCE Mission in the Federal Republic of Yugoslavia to attend a weapons destruction exercise.

The use of, and illicit trade in, small arms and light weapons threaten the security of the region of South-East Europe, in particular, primarily in Kosovo and Metohija, the autonomous province of the Yugoslav constituent Republic of Serbia and Macedonia. The victims are, as a rule, innocent and unprotected civilians or members of security forces, while the perpetrators are mostly members of paramilitary or terrorist groups. Therefore, the Federal Republic of Yugoslavia expresses special interest in destroying these types of weapons and placing them under control, as well as preventing the illicit trade in these weapons as an important element in strengthening the stability in the region.

In that context, the envisaged action of the destruction of excess quantities of weapons is expected to lead to further and intensified regional efforts in this field. to that end, the Federal Republic of Yugoslavia will cooperate, fully implementing its obligations under OSCE documents, with neighbouring countries, in particular those within the Stability Pact. The Federal Republic of Yugoslavia expects other countries from the region and beyond to make their contribution through concrete action to the suppression of the illicit trade in, and the establishment of strict control over, small arms and light weapons.

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Note verbale dated 6 July 2001 from the Permanent Mission of Azerbaijan and the Permanent Observer Mission of Switzerland to the United Nations addressed to the Secretary-General of the Conference, transmitting the Chairmen's conclusions of a workshop on "Small Arms and Light Weapons: Practical Challenges for the Implementation of Current Undertakings in the Organization for Security and Cooperation in Europe and the Euro-Atlantic Partnership Council", held at Baku on 21 and 22 June 2001

The Permanent Mission of Azerbaijan to the United Nations and the Permanent Observer Mission of Switzerland to the United Nations present their compliments to the Secretary-General of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and have the honour to transmit the Chairmen's conclusions of a workshop on "*Small Arms and Light Weapons: Practical Challenges for the Implementation of Current Undertakings in the Organization for Security and Cooperation in Europe and the Euro-Atlantic Partnership Council*", held at Baku, Azerbaijan on 21 and 22 June 2001 (see annex).

The Permanent Mission of Azerbaijan and the Permanent Observer Mission of Switzerland to the United Nations request the Secretariat to circulate the attached paper as an official document of the Conference.

01-45100 (E) 110701

Annex

Joint Azerbaijani-Swiss workshop, 21-22 June 2001

Small arms and light weapons: practical challenges for the implementation of current undertakings in the Organization for Security and Cooperation in Europe and the Euro-Atlantic Partnership Council

Chairmen's conclusions

I

All participants thanked the governments of Azerbaijan and Switzerland for their initiative in hosting and sponsoring the workshop on Small Arms and Light Weapons (SALW). Participants recognised that the workshop had been called at an opportune time – a month before the UN Conference on the Illicit Trade in Small Arms and Light Weapons in all its Aspects.

Participants stressed the importance of the forthcoming UN conference, scheduled to begin on 9 July with a "small arms destruction day", not least because it would address the global dimensions of the problem. Participants underlined the importance of promoting the principles and norms contained in the OSCE Document at the UN Conference, recognising that many of the concepts underpinning the Document could have wider application.

II

Many participants stressed the importance of implementing the commitments in the OSCE Document in the field, through a range of actors, including, as appropriate, OSCE missions and field operations, and EU projects, as well as bi- and multi-lateral projects at the sub-regional level under EAPC auspices. They welcomed in particular the work of the EAPC on the management and security of small arms stockpiles, as well as the offer extended by the United States (on behalf of Norway and Germany) to conduct stockpile management and security and destruction assessments in OSCE-EAPC States. Participants also heard presentations on the efforts of the OSCE Missions to Moldova and Georgia, and the OSCE Presence in Albania, in monitoring weapons removal and destruction in their respective host countries. Participants noted the need for verification of weapons collection, military means to conduct destruction and involvement of a lead donor nation. Participants also noted that conflicts, by their nature, could create favourable conditions for illicit trafficking of SALW.

A proposal was made to create a list of experts who could provide technical and/or legal assistance on request. Participants also stressed the need for co-ordination, including through joint initiatives, between the various actors in the field to avoid unnecessary duplication and promote the efficient use of resources. The OSCE and the EAPC were encouraged to exchange information on a regular basis and seek to further develop co-operation in the field of Small Arms and Light Weapons. The Secretary General of the OSCE suggested the establishment of pilot projects in co-operation with, and at the request of, host countries.

III

Participants looked forward with interest to the exchanges of information agreed in the OSCE Document, some of which are due to take place on 30 June 2001. They noted that, in many participating States, preparations for the exchanges of information had revealed unexpected variations in practice within States. One participating State had adopted a special internal act for the approval and implementation of the Document; one participant raised the issue of potential conflicts between the transparency requirements of the document and commercial contractual confidentiality, on which individual governments might need to take action. An assessment of the exchange of information would be needed during the early autumn. Such an assessment might in due course contribute to the development of best practice. There was some support for the suggestion that participating States could consider sharing, on an individual and voluntary basis, their information exchange submissions with an independent institution such as the Small Arms Survey.

IV

Participants heard a number of presentations on national implementation practices covering marking, record-keeping and tracing, as well as export policy, procedures and documentation. These were intended to further national implementation of the relevant commitments contained in the OSCE Document.

The discussion group on marking drew attention to the link between marking systems and national licensing, and between marking systems and record-keeping. They identified a number of differences between the OSCE Document and the subsequent UN Firearms Protocol, including the need for import markings. They called for early co-ordination to eliminate the chance of duplicate markings.

The discussion group on tracing noted that although weapons marking was essential for developing a tracing mechanism, it was only one element of a broader process such as the French-Swiss initiative. Many additional elements could be found in the OSCE Document. They suggested that more attention should be paid to the point at which a licit transfer becomes illicit, and proposed that the requirement to respond promptly and accurately to tracing requests from the UN Secretary General be expanded to include UN Resolutions as well as embargoes.

The group dealing with international co-operation and assistance noted both the need to mobilise funds and stimulate requests for assistance. They called for a clearing house system to better match projects and project funding. Such a system could operate on a regional or sub-regional basis, and involve NGOs and civil society.

V

Participants heard presentations from the countries of the South Caucasian region on their national procedures for export control, and discussed the possibilities of regional co-operation. Reference was made to the Sofia Declaration and Statement of December 1999, adopted at the regional export control conference for South-East Europe, which were thought to be worthy of further study. Participants recognised the link between export controls and the need for control of brokering activities, on which there was extensive discussion based on the report of the Panel of Experts. The discussion group on brokering focused on the practical questions of registration and licensing, and discussed the merits of a legal instrument and model regulations at the regional or global level. There were calls for the provision of training and technical assistance for the development of export and brokering control regimes, as well as for an assessment of the information to be exchanged within the OSCE on export, import and brokering controls. An independent evaluation of those information exchanges (based on the model of the Vienna Document Defence Planning reports) was suggested.

Baku, Azerbaijan
22 June 2001

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Note verbale dated 11 July 2001 from the Permanent Mission of Jordan to the United Nations addressed to the Secretary-General of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

The Permanent Mission of the Hashemite Kingdom of Jordan to the United Nations presents its compliments to the Secretary-General of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and has the honour to submit the "Petra Declaration", issued by the Human Security Network following its meeting in Petra on 11 and 12 May 2001 (see annex).

01-45220 (E) 120701

Annex to the note verbale dated 11 July 2001 from the Permanent Mission of Jordan to the United Nations addressed to the Secretary-General of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Petra declaration

Annex B

Statement of the Human Security Network to the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

We, the participants of the Human Security Network, reaffirm our commitment to intensify and coordinate efforts to address the human suffering caused by the proliferation and misuse of small arms and light weapons.

Recalling the conclusions of the first and second Human Security Network Ministerial Meetings in Lysen, Norway, in May 1999, and in Lucerne, Switzerland, in May 2000, respectively, participants in the Human Security Network affirm their strong commitment to ensure the success of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. To this end, participants in the Human Security Network encourage the Conference to:

- Adopt a comprehensive and coordinated approach to the problems caused by all aspects of the illicit trade in small arms and light weapons, recognizing that these challenges are multi-faceted and involve not only security, but also humanitarian, health and development dimensions;
- Recognize the importance of sustained and complementary efforts at all levels, local, national, regional and international, and that cooperation and coordination between and among States, international organizations, regional bodies and civil society is essential;
- Acknowledge that both suppliers and recipient countries bear responsibility for finding common solutions to counter these problems;
- Encourage States, the United Nations, other appropriate international and regional organizations to undertake initiatives to promote the implementation of the programme of action to be adopted by the Conference;
- Human Security Network participants stress that the Conference is not an end in itself, but rather an important means for further action in the area of small arms and for cooperation in an active programme and follow-up to the Conference.

Human Security Network participants agree that the main aims of the Conference should be to:

- Prevent, combat and eradicate the illicit trade in small arms and light weapons in all its aspects;
- Develop agreed international measures to prevent and combat illicit arms trafficking in and manufacturing of small arms and light weapons and to

reduce the excessive and destabilizing accumulation of such weapons throughout the world.

Participants of the Human Security Network underline the need fully to take into account the threat to human security posed by the proliferation and misuse of these weapons. This will involve giving full attention to the following clusters of issues:

- Promoting a secure environment in conflict-prone or war-torn regions, through, in particular, implementing United Nations arms embargoes, strengthening and reforming of security sector institutions and promoting implementation of disarmament, demobilization and reintegration programmes;
- Combating the illicit trade in small arms and light weapons in all its aspects through, inter alia, the strengthening of tracing, marking, record-keeping and by adopting adequate laws, regulations, and administrative procedures on the manufacture and transfer of these weapons;
- Reducing the risks of diversion by taking appropriate measures and developing national systems to control arms transfers by manufacturers, suppliers, traders and brokers as well as shipping and transit agents;
- Strengthening international cooperation and information exchange between Governments, licensing or judicial authorities and enforcement agencies as well as improving transparency;
- Enhancing national stockpile management and security and promoting destruction or responsible and legal disposal of surplus weapons in official stocks;
- Promoting and assisting collection, responsible and legal disposal and destruction of excessive or surplus and illicit small arms and light weapons.

Guided by these issues clusters, Human Security Network participants agree to consider supporting the creation of programmes to assist countries in implementing national strategies and contributing to regional and international actions. Human Security Network participants best use of the period leading up to the Conference is to advance practical work and build the political will and global consensus required for its success.

On behalf of Human Security Network participants, and as the host of the third Ministerial Meeting in Petra on 11 and 12 May 2001, the Hashemite Kingdom of Jordan will convey this statement to the Chair of the United Nations Conference.

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Letter dated 11 July 2001 from the Permanent Observer of the Organization of the Islamic Conference to the United Nations addressed to the Secretary-General of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

I have the honour to transmit the texts of resolutions 47/9-P(IS), adopted on 13 November 2000 at the Ninth Islamic Conference, held in Doha, Qatar, and 47/28-P, adopted on 27 June 2001 at the twenty-eighth session of the Islamic Conference of Foreign Ministers, held in Bamako, Mali, on 27 June 2001, on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (see annex).

I would be grateful if the above-mentioned resolutions were to be added to the annex to the draft programme of action contained in document A/CONF.192/PC/L.4/Rev.1.

(*Signed*) Mokhtar **Lamani**
Ambassador
Permanent Observer

01-45226 (E) 120701

Annex to the letter dated 11 July 2001 from the Permanent Observer of the Organization of the Islamic Conference to the United Nations addressed to the Secretary-General of the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Resolution 47/9-P(IS)
Combating the illegal proliferation, build-up and circulation of light weapons

The Ninth Session of the Islamic Summit Conference, Session of Peace and Development "Al Aqsa Intifada", held in Doha, State of Qatar, from 16-17 Shabaan 1421H (12-13 November, 2000),

Taking note of the decision of the 35th Session of The Conference of Heads of State and government of the Organization of African Unity, held in Algiers in July 1999, to convene a Ministers' conference on the illegal trade in, and proliferation of light weapons;

Recalling the objectives and principles set forth in the Charters of the UN and the Organization of the Islamic Conference, particularly the provisions relating to the consolidation of international peace and security;

Recalling further the relevant resolutions on disarmament adopted by the United Nations General Assembly as well as by the various Islamic Conference, in particular Resolution 21/8-P(IS) adopted by the Eighth Islamic Summit and Resolution 22/25-P adopted by the 25th Session of the Islamic Conference of Foreign Ministers;

Taking note of the United Nations General Assembly Resolution NO. 53/7E of 4 December 1998 on the convening of a conference on the illegal trade in light weapons in 2001;

Reaffirming the need to preserve international peace and security in general and within the Member States of the Islamic Ummah in particular;

Considering that the manufacturing, illegal circulation and build-up of massive quantities of light weapons in the world constitute a threat to national, regional and international peace and security as well as an obstacle to the economic development of the countries and regions concerned;

Convinced of the need for a global approach with a view to encouraging at national, regional and world levels, the limitation and reduction of illegal light weapons in a balanced and non-discriminatory manner;

Deeply concerned about the spread of insecurity, banditry, and terrorism linked to the illegal movement of light weapons;

Taking note of the Secretary General's Report NO. IS/9-2000/PIL/D.17;

1. Notes with satisfaction the initiative taken by the Government of the Republic of Mali on the question, and specifically by the Organization of the ceremony of the "Torch of peace" in Timbuktu on 27 March 1996 and consisting in

the destruction of thousands of light arms of small caliber and by the mobilization of the international community for a resolute and coordinated combat against the illicit traffic kind of this type of armament.

2. **Welcomes** the holding of the African Regional Conference on the illegal trade in, and proliferation of light weapons which will be organized by the OAU in November 2000 in Bamako, Republic of Mali. This Conference will work out a global African approach within the framework of the preparation of the United Nations international Conference of the year 2001.

3. **Notes with interest** the Moratorium declaration on the import, export and manufacturing of light arms in West Africa adopted in Abuja on 31 October 1998 by the 21st Session of the Conference of Heads of State and Government of the Economic Community of the West African States (ECOWAS) and calls on Member States of the Islamic Ummah to approve the Moratorium and support its effective implementation.

4. **Notes with satisfaction** the decision taken by some countries of Sahel to set up national commissions to combat the proliferation of light arms in the Sahelo-Saharian region and of the UN Standing Consultative Committee on security in Central Africa and calls on Member States of the Islamic Ummah and other Islamic Organisation to set up their own national commissions.

5. **Calls on** African States in particular and the Member States of the Islamic Ummah in general to initiate and strengthen their cooperation at sub-regional, regional and international levels with a view to eradication the illicit traffic and proliferation of light arms.

6. **Notes** the initiative taken by the European Union to set up a world wide mechanism to combat and control the illicit accumulation and circulation of light arms and calls on the Secretary General to examine ways and means to ensure an effective cooperation between the Organization of the Islamic Conference, the United Nations, the European Union, the ECOWAS and the other sub-regional organizations concerned with question.

7. **Calls on** Member States to participate actively in the Conference on Combating the Illegal Trade of light arms, which will be held in the year 2001, and requests the Secretary General to cooperate fully with Member States in order to prepare for this Conference.

8. **Requests** the Secretary General to further examine the question and to submit a report to the Tenth Session of the Islamic Summit Conference.

Resolution 47/28-P
Combating the illegal proliferation, build-up and circulation of light weapons

The Twenty-eighth Session of the Islamic Conference of Foreign Ministers (Session of Peace and Development - Intifada Al-Aqsa), held in Bamako, Republic of Mali, from 4 to 6 Rabi-ul-Thani, 1422H (25-27 June, 2001),

Taking note of the decision of the 35th Session of The Conference of Heads of State and government of the Organization of African Unity, held in Algiers in July 1999, to convene a Ministers' conference on the illicit trade in small arms and light weapons in all its aspects;

Recalling the objectives and principles set forth in the Charters of the UN and the Organization of the Islamic Conference, particularly the provisions relating to the consolidation of international peace and security;

Recalling further the relevant resolutions on disarmament adopted by the United Nations General Assembly as well as by the various Islamic Conference, in particular Resolution 21/8-P(IS) adopted by the Eighth Islamic Summit and Resolution 22/25-P adopted by the 25th Session of the Islamic Conference of Foreign Ministers;

Taking note of the United Nations General Assembly Resolution NO. 53/7E of 4 December 1998 on the convening of a conference on the illicit trade in small arms and light weapons in all its aspects;

Reaffirming the need to preserve international peace and security in general and within the Member States of the Islamic Ummah in particular;

Considering that the manufacturing, illegal circulation and build-up of massive quantities of light weapons in the world constitute a threat to national, regional and international peace and security as well as an obstacle to the economic development of the countries and regions concerned;

Convinced of the need for a global approach with a view to encouraging at national, regional and world levels, the limitation, illegal production and trade in small arms and light weapons in a balanced and non-discriminatory manner;

Deeply concerned about the spread of insecurity, banditry, and terrorism linked to the illegal movement of light weapons;

Convinced also of the need to define small arms and light weapons keeping in view the possibility of their use in future conflicts;

Taking note of the Secretary General's Report NO. ICFM/28-2001/PIL/D.34;

1. **Notes with satisfaction** the initiative taken by the Government of the Republic of Mali on the question, and specifically by the Organization of the ceremony of the "Torch of peace" in Timbuktu on 27 March 1996 and consisting in the destruction of thousands of light arms of small caliber and by the mobilization of the international community for a resolute and coordinated combat against the illicit traffic kind of this type of armament.

2. **Welcomes** the holding of the African Regional Conference on the illegal trade in, and proliferation of light weapons which was organized by the OAU in November 2000 in Bamako, Republic of Mali. This Conference had elaborated a global African approach within the framework of the preparation of the United Nations international Conference of the year 2001 in New York

3. **Notes with interest** the Moratorium declaration on the import, export and manufacturing of light arms in West Africa adopted in Abuja on 31 October 1998 by the 21st Session of the Conference of Heads of State and Government of the Economic Community of the West African States (ECOWAS) and calls on Member States of the Islamic Ummah to approve the Moratorium and support its effective implementation.

4. **Notes with satisfaction** the decision taken by some countries of Sahel to set up national commissions to combat the proliferation of light arms in the Sahelo-Saharian region and of the UN Standing Consultative Committee on security in Central Africa and calls on Member States of the Islamic Ummah and other Islamic Organisation to set up their own national commissions.

5. **Calls on** African States in particular and the Member States of the Islamic Ummah in general to initiate and strengthen their cooperation at sub-regional, regional and international levels with a view to eradication the illicit traffic and proliferation of light arms.

6. **Notes** the initiative taken by the European Union to set up a world wide mechanism to combat and control the illicit accumulation and circulation of light arms and calls on the Secretary General to examine ways and means to ensure an effective cooperation between the Organization of the Islamic Conference, the United Nations, the European Union, the ECOWAS and the other sub-regional organizations concerned with question.

7. **Calls on** Member States to participate actively in the UN Conference on the Combating the Illicit Trade in small arms and light weapons in all its aspects, which will be held in July 2001 in New York, and requests the Secretary General to cooperate fully with Member States in order to prepare for this Conference.

8. **Requests** the Secretary General to further examine the question and to submit a report to the Twenty-ninth Session of the Islamic Conference of Foreign Ministers.